

CHAPTER 36 FACILITY ASSESSMENTS

DIVISION I ASSESSMENT FEE FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED

These rules describe the assessment of the fee authorized by Iowa Code section 249A.21. The rules explain how the fee is determined and paid, and under what conditions collection of the fee will be terminated.

441—36.1(249A) Assessment of fee. Intermediate care facilities for the mentally retarded (ICFs/MR) licensed in Iowa under 481—Chapter 64 shall pay a monthly fee to the department. The fee shall equal 6 percent of the total revenue of the facility for the facility's preceding fiscal year divided by the number of months of facility operation during the preceding fiscal year. For ICFs/MR operated by the state, the fee shall be retroactive to October 1, 2003.

441—36.2(249A) Determination and payment of fee for facilities certified to participate in the Medicaid program. For facilities certified to participate in the Medicaid program, the fee shall be determined and paid as follows:

36.2(1) The assessment for each facility fiscal year shall be based on the financial and statistical report for the facility's preceding fiscal year submitted pursuant to rule 441—82.5(249A), as adjusted pursuant to 441—subrules 82.5(10) and 82.17(1).

36.2(2) The department shall notify each facility of the amount of the fee assessed for each fiscal year following submission of the financial and statistical report for the facility's preceding fiscal year. The fee is subject to adjustment based on adjustments to the financial and statistical report.

36.2(3) The department shall deduct the monthly amount due from medical assistance payments to the facility. The department shall also deduct from medical assistance payments any additional amount due for past months as a result of an adjustment to the assessment.

36.2(4) By August 15, 2004, the department shall notify each facility operated by the state of the amount of the fee assessed for the retroactive period of October 1, 2003, through August 31, 2004, subject to adjustment based on adjustment to the facility's financial and statistical report. State-operated facilities shall transfer the amount due for the retroactive period during state fiscal year 2004 (October 2003 through June 2004) to the medical assistance appropriation by August 31, 2004. The amount due for July and August 2004 shall be deducted from the quarterly medical assistance payments made to state-operated facilities in October 2004.

441—36.3(249A) Determination and payment of fee for facilities not certified to participate in the Medicaid program. For facilities not certified to participate in the Medicaid program, the fee shall be determined and paid as follows:

36.3(1) Any licensed ICF/MR in Iowa that is not certified to participate in the Medicaid program shall submit Form 470-0030, Financial and Statistical Report, as required for participating facilities by rule 441—82.5(249A), for purposes of determining the amount of the assessment. The department may audit and adjust the reports submitted, as provided for participating facilities in 441—subrules 82.5(10) and 82.17(1).

36.3(2) The assessment for each facility fiscal year shall be based on the financial and statistical report for the facility's preceding fiscal year as submitted and audited pursuant to subrule 36.3(1).

36.3(3) The department shall notify each facility of the amount of the fee assessed for each fiscal year following submission of the financial and statistical report for the facility's preceding fiscal year. The fee is subject to adjustment based on adjustments to the financial and statistical report.

36.3(4) The facility shall pay the assessed fee to the department on or before the fifteenth day of each month. Any additional amount due for past months as the result of an adjustment to the initial assessment is due 30 days after the department notifies the facility of the additional amount.

441—36.4(249A) Termination of fee assessment. If federal financial participation to match the assessed fee becomes unavailable under federal law, the assessment terminates on the date the federal statutory, regulatory, or interpretive change takes effect.

441—36.5 Reserved.

These rules are intended to implement Iowa Code section 249A.21.

DIVISION II
QUALITY ASSURANCE ASSESSMENT FOR NURSING FACILITIES
Rescinded IAB 7/6/05, effective 7/1/05

[Filed 11/18/02, Notice 10/2/02—published 12/11/02, effective 2/1/03]
[Filed emergency 11/19/03—published 12/10/03, effective 12/1/03]
[Filed emergency 8/12/04—published 9/1/04, effective 8/12/04]
[Filed 10/14/04, Notice 9/1/04—published 11/10/04, effective 12/15/04]
[Filed emergency 6/17/05—published 7/6/05, effective 7/1/05]

CHAPTER 37
STANDARDS FOR THE CARE OF AND SERVICES
TO COUNTY CARE FACILITY RESIDENTS WITH
MENTAL ILLNESS AND MENTAL RETARDATION
Rescinded IAB 5/5/99, effective 7/1/99